

# State of South Dakota

## SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

400D0342

### SENATE BILL NO. 45

Introduced by: The Committee on Taxation at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to authorize the Governor to enter into a multi-state  
2 compact for the development, implementation, and administration of a simplified sales and  
3 use tax collection system.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 10-1 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 The Governor may, for the purpose of entering into a compact, negotiate and enter into a  
8 compact with officials of other states for the development, implementation, and administration  
9 of a simplified sales and use tax collection system. The compact shall conform generally to the  
10 provisions of chapter 1-24 relating to the joint exercise of governmental powers with other  
11 public agencies. The compact shall provide for the collection, reporting, auditing, and  
12 distribution of taxes imposed under chapters 10-45 and 10-46. The compact shall provide for the  
13 joint selection of persons to act as agents of the compact states for the collection and remittance  
14 of taxes imposed under chapters 10-45 and 10-46.

15 Section 2. That chapter 10-1 be amended by adding thereto a NEW SECTION to read as  
16 follows:

17 If the Governor enters into a compact pursuant to section 1 of this Act, the Governor may

1 direct the secretary of revenue to enter into a joint contract with any person to act as an agent  
2 of South Dakota for the collection and remittance of taxes imposed under chapters 10-45 and  
3 10-46.

4 Section 3. That chapter 10-1 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Notwithstanding the provisions of § 10-1-28.2, if the Governor enters into a compact  
7 pursuant to section 1 of this Act, the Governor may direct the secretary of revenue to release  
8 lists of persons licensed under chapters 10-45 and 10-46 who are exempt from taxes imposed  
9 under chapters 10-45 and 10-46 to the extent necessary to verify each person's exempt status.

10 Section 4. Any compact entered into by the Governor pursuant to section 1 of this Act is  
11 effective upon the Governor's signature and ratification by the Legislature.